

Exhibit A

ECF, MAGCONSENT, SIMILAR

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-04607-AJP

The Andrews Group Inc. v. Addressing Services Company
Inc.
Assigned to: Magistrate Judge Andrew J. Peck
Demand: \$400,000
Similar Case: 1:04-cv-06731-LTS-AJP
Cause: 28:1332 Diversity-Other Contract

Date Filed: 05/31/2007
Jury Demand: None
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

The Edward Andrews Group Inc.

represented by **David Clifford Burger**
Robinson Brog Leinwand Greene
Genovese & Gluck PC
1345 Avenue of the Americas-31st
Floor
New York, NY 10105
212 603-6361
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Addressing Services Company Inc.

represented by **Eric B. Fisher**
Morgenstern Jacobos & Blue, LLC (NY)

885 Third Avenue
New York, NY 10022
(212)750-6776
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/31/2007	<u>1</u>	COMPLAINT against Addressing Services Company Inc.. (Filing Fee \$ 350.00, Receipt Number 616914)Document filed by The Andrews Group Inc..(jpo) (Entered: 06/01/2007)

05/31/2007		SUMMONS ISSUED as to Addressing Services Company Inc.. (jpo) (Entered: 06/01/2007)
05/31/2007		Case Designated ECF. (jpo) (Entered: 06/01/2007)
05/31/2007		CASE REFERRED TO Judge Laura Taylor Swain as possibly similar to 04cv6731. (jpo) (Entered: 06/01/2007)
06/13/2007		CASE ACCEPTED AS SIMILAR. Create association to 1:04-cv-06731-LTS-AJP. Notice of Assignment to follow. (tro) (Entered: 06/14/2007)
06/13/2007	<u>2</u>	NOTICE OF CASE ASSIGNMENT to Judge Laura Taylor Swain. Judge Unassigned is no longer assigned to the case. (tro) (Entered: 06/14/2007)
06/13/2007		Magistrate Judge Andrew J. Peck is so designated. (tro) (Entered: 06/14/2007)
06/14/2007	<u>3</u>	ORDER RE SCHEDULING AND INITIAL PRETRIAL CONFERENCE: Initial Conference set for 9/21/2007 at 03:30 PM before Judge Laura Taylor Swain, in courtroom 17C, 500 Pearl Street. (Signed by Judge Laura Taylor Swain on 6/13/07) (jco) (Entered: 06/15/2007)
06/15/2007	<u>4</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. Addressing Services Company Inc. served on 6/5/2007, answer due 6/25/2007. Service was accepted by Cassie Yaiser, Secretary. Document filed by The Andrews Group Inc.. (Burger, David) (Entered: 06/15/2007)
06/18/2007	<u>5</u>	MOTION for Extension of Time to File Answer <i>Stipulation Extending Time to Answer</i> . Document filed by Addressing Services Company Inc.. (Fisher, Eric) (Entered: 06/18/2007)
06/20/2007	<u>6</u>	STIPULATION EXTENDING TIME TO ANSWER: The parties stipulate that defendant ADDRESSING SERVICES COMPANY, INC. shall have up to and including July 13, 2007, to move, answer or otherwise plead in response to the complaint in this action. Defendant does not contest that the complaint was properly served. No prior extensions have been GRANTED. So Ordered. (Signed by Judge Laura Taylor Swain on 6/19/07) (js) (Entered: 06/21/2007)
07/13/2007	<u>7</u>	MOTION to Dismiss. Document filed by Addressing Services Company Inc.. (Attachments: # <u>1</u> Declaration of Eric B. Fisher# <u>2</u> Memorandum of Law# <u>3</u> Exhibit A)(Fisher, Eric) (Entered: 07/13/2007)
07/13/2007	<u>8</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Addressing Services Company Inc..(Fisher, Eric) (Entered: 07/13/2007)
07/13/2007	<u>9</u>	ANSWER to Complaint. Document filed by Addressing Services Company Inc..(Fisher, Eric) (Entered: 07/13/2007)
07/18/2007	<u>10</u>	ORDER terminating <u>7</u> Motion to Dismiss. The Motion to Dismiss is hereby TERMINATED for purposes of the Court's docket, without prejudice to reinstatement upon application, upon notice to adverse parties and accompanied by the requisite certification; it is further

		ORDERED, that no response to the motion is required unless a reinstatement application is granted.(Signed by Judge Laura Taylor Swain on 7/17/07) (tro) (Entered: 07/18/2007)
07/27/2007	<u>11</u>	MOTION to Dismiss <i>Notice of Motion to Reinstate</i> . Document filed by Addressing Services Company Inc.. (Attachments: # <u>1</u> Declaration of Eric B. Fisher in Support of Motion to Reinstate)(Fisher, Eric) (Entered: 07/27/2007)
07/27/2007	<u>12</u>	AFFIDAVIT OF SERVICE of Notice of Motion to Reinstate and Declaration of Eric B. Fisher in Support of Motion to Reinstate served on David C. Burger, Esq. on 7/27/07. Service was made by Mail. Document filed by Addressing Services Company Inc.. (Fisher, Eric) (Entered: 07/27/2007)
08/27/2007	<u>13</u>	MEMO ENDORSEMENT granting <u>11</u> Motion to Reinstate. ENDORSEMENT: The reinstatement application is granted. SO ORDERED. (Signed by Judge Laura Taylor Swain on 8/24/07) (kco) (Entered: 08/28/2007)
09/11/2007	<u>14</u>	REVISED SCHEDULING ORDER: Pretrial Conference set for 10/9/2007 at 2:30 PM in Courtroom 17C, 500 Pearl Street, New York, NY 10007 before Judge Laura Taylor Swain. Preliminary pretrial statement due by 10/2/2007. (Signed by Judge Laura Taylor Swain on 9/10/07) (kco) (Entered: 09/11/2007)
09/11/2007	<u>15</u>	MOTION to Amend/Correct <i>the Complaint</i> . Document filed by The Andrews Group Inc..(Burger, David) (Entered: 09/11/2007)
09/11/2007	<u>16</u>	AFFIDAVIT of David C. Burger in Support re: <u>15</u> MOTION to Amend/Correct <i>the Complaint</i> .. Document filed by The Andrews Group Inc.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Burger, David) (Entered: 09/11/2007)
09/11/2007	<u>17</u>	MEMORANDUM OF LAW in Support re: <u>15</u> MOTION to Amend/Correct <i>the Complaint</i> .. Document filed by The Andrews Group Inc.. (Burger, David) (Entered: 09/11/2007)
09/25/2007	<u>18</u>	REPLY MEMORANDUM OF LAW in Support re: <u>7</u> MOTION to Dismiss. <i>Defendant's Reply Memorandum of Law in Further Support of Motion to Dismiss and in Opposition to Motion for Leave to Amend the Complaint</i> . Document filed by Addressing Services Company Inc.. (Fisher, Eric) (Entered: 09/25/2007)
09/26/2007	<u>19</u>	CERTIFICATE OF SERVICE of Defendant's Reply Memorandum of Law in Further Support of Motion to Dismiss and in Opposition to Motion for Leave to Amend the Complaint served on David Burger on 9/25/07. Service was made by Mail. Document filed by Addressing Services Company Inc.. (Fisher, Eric) (Entered: 09/26/2007)
10/02/2007	<u>20</u>	PRELIMINARY PRETRIAL STATEMENT. Document filed by The Andrews Group Inc..(Burger, David) (Entered: 10/02/2007)
10/02/2007	<u>21</u>	REPLY MEMORANDUM OF LAW in Support re: <u>15</u> MOTION to

		Amend/Correct <i>the Complaint</i> .. Document filed by The Andrews Group Inc.. (Burger, David) (Entered: 10/02/2007)
10/09/2007		Minute Entry for proceedings held before Judge Laura Taylor Swain : Initial Pretrial Conference held on 10/9/2007 at 2:35 pm. IPTC held. Case referred to Magistrate Judge Peck. Next PTC scheduled for 5/9/2007 at 10:00am. (jmi) (Entered: 10/16/2007)
10/10/2007	<u>22</u>	ORDER FOR SETTLEMENT CONFERENCE: a Settlement Conference is scheduled for 11/8/2007 at 02:00 PM in Courtroom 20D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Andrew J. Peck. (Signed by Judge Andrew J. Peck on 10/10/07) (kco) (Entered: 10/10/2007)
10/10/2007	<u>23</u>	ORDER: For the reasons stated on the record at the October 9, 2007, Initial Pre-Trial Conference, Defendant's motion to dismiss Plaintiff's unjust enrichment claim is GRANTED (docket entry no. 7) and Plaintiff's motion for leave to file its proposed amended complaint is DENIED (docket entry no. 15) Plaintiff is GRANTED leave to file and serve an amended complaint, consistent with its representations made on the record, by October 19, 2007. So Ordered. (Signed by Judge Laura Taylor Swain on 10/10/07) (js) (Entered: 10/11/2007)
10/10/2007	<u>24</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement). Referred to Magistrate Judge Andrew J. Peck. (Signed by Judge Laura Taylor Swain on 10/9/07) (js) (Entered: 10/11/2007)
10/10/2007	<u>25</u>	PRETRIAL SCHEDULING ORDER: Amended Pleadings due by 10/19/2007. Joinder of Parties due by 10/19/2007. Motions due by 3/3/2008. Discovery due by 1/31/2008. Final Pretrial Conference set for 5/9/2008 at 10:00 AM before Judge Laura Taylor Swain. (Signed by Judge Laura Taylor Swain on 10/9/07) (js) (Entered: 10/11/2007)
10/17/2007	<u>26</u>	ORDER RESCHEDULING SETTLEMENT CONFERENCE: Settlement Conference reset for 11/7/2007 at 10:30 AM in Courtroom 20D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Andrew J. Peck. (Signed by Judge Andrew J. Peck on 10/17/07) copies sent by chambers.(cd) (Entered: 10/17/2007)
10/19/2007	<u>27</u>	AMENDED COUNTERCLAIM amending <u>1</u> Complaint against Addressing Services Company Inc..Document filed by The Andrews Group Inc.. Related document: <u>1</u> Complaint filed by The Andrews Group Inc.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D)(Burger, David) (Entered: 10/19/2007)
11/07/2007		Minute Entry for proceedings held before Magistrate Judge Andrew J. Peck: Settlement Conference held on 11/7/2007. (kco) (Entered: 11/26/2007)
11/19/2007	<u>28</u>	ANSWER to Amended Counterclaim. Document filed by Addressing

		Services Company Inc.. Related document: 27 Amended Counterclaim, filed by The Andrews Group Inc..(Fisher, Eric) (Entered: 11/19/2007)
11/20/2007	<u>29</u>	CERTIFICATE OF SERVICE of Alice Abell of Answer to Amended Complaint on November 19, 2007. Document filed by Addressing Services Company Inc.. (Fisher, Eric) (Entered: 11/20/2007)
01/02/2008	30	TRANSCRIPT of proceedings held on 10/9/07 before Judge Judge Laura Taylor Swain. (pr) (Entered: 01/02/2008)
01/02/2008	<u>31</u>	STIPULATED AND PROTECTIVE ORDER CONCERNING CONFIDENTIALITY OF DISCOVERY MATERIALS regarding procedures to be followed that shall govern the handling of confidential material. [Sentence added at end of paragraph 8.] A redacted copy w/o confidential material shall be publicly filed. (Signed by Magistrate Judge Andrew J. Peck on 1/2/2007) (jmi) (Entered: 01/03/2008)
01/08/2008		MEMORANDUM TO THE DOCKET CLERK: Status conference held 1/3/08. Minor discovery issues resolved-see transcript. Summary Judgment notice due 2/7, SJ motion or PTO due 3/3/08. Parties to contact if disputes or re settlement. Filed In Associated Cases: 1:07-cv-04607-LTS-AJP, 1:04-cv-06731-LTS-AJP(jmi) (Entered: 01/08/2008)
01/08/2008	<u>32</u>	CONSENT TO PROCEED BEFORE US MAGISTRATE JUDGE by The Andrews Group Inc., Addressing Services Company Inc. (Case No Longer Referred to Magistrate Judge) CASE ASSIGNED to Magistrate Judge Andrew J. Peck. (Signed by Judge Laura Taylor Swain on 1/7/2008) (jar) (Entered: 01/08/2008)
01/18/2008		Minute Entry for proceedings held before Magistrate Judge Andrew J. Peck: Discovery Conference held via Telephone held on 1/18/2008. (jar) (Entered: 01/28/2008)
01/22/2008	<u>33</u>	ENDORSED LETTER addressed to Magistrate Judge Andrew J. Peck from Eric B. Fisher dated 1/18/08 re: Counsel for defendant request Your Honor's assistance in resolving a time sensitive discovery dispute concerning the deposition of Timothy Brog, the sole owner and employee of the Edward Andrews Group, Inc. Accordingly, Mr. Brog should be required to supply the above information at his continued deposition. ENDORSEMENT: The Court attempted to reach Mr. Burger, who did not return the call. The Court GRANTS the above request- Mr. Brog is to answer these questions. So Ordered. (Signed by Magistrate Judge Andrew J. Peck on 1/18/08) (js) (Entered: 01/22/2008)
01/28/2008	<u>34</u>	ORDER SCHEDULING STATUS CONFERENCE: A Status Conference is set for 1/29/2008 at 03:30 PM in Courtroom 20D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Andrew J. Peck. (Signed by Magistrate Judge Andrew J. Peck on 1/28/08) Copies Faxed and Via ECF by Chambers.(db) (Entered: 01/28/2008)
01/29/2008		Minute Entry for proceedings held before Magistrate Judge Andrew J. Peck: Status Conference held on 1/29/2008. Minor discovery issues resolved. Disc. Cutoff 2/22, PTO due 3/3/08. Motion to strike jury trial

		due 1/31, def. opp. 2/11, reply 2/15. Parties to contact if disputes or re settlement. (dj) (Entered: 02/04/2008)
02/04/2008	<u>35</u>	MOTION to Strike Defendant's Jury Demand. Document filed by The Edward Andrews Group Inc..(Burger, David) Modified on 2/6/2008 (KA). (Entered: 02/04/2008)
02/04/2008	<u>36</u>	AFFIDAVIT of David C. Burger in Support re: <u>35</u> MOTION to Strike Defendant's Jury Demand.. Document filed by The Edward Andrews Group Inc.. (Attachments: # <u>1</u> Affidavit Affidavit of Service, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit A)(Burger, David) Modified on 2/6/2008 (KA). Modified on 2/6/2008 (KA). (Entered: 02/04/2008)
02/04/2008	<u>37</u>	MEMORANDUM OF LAW in Support re: <u>35</u> MOTION to Strike Defendant's Jury Demand.. Document filed by The Edward Andrews Group Inc.. (Attachments: # <u>1</u> Affidavit Affidavit of Service)(Burger, David) Modified on 2/6/2008 (KA). (Entered: 02/04/2008)
02/06/2008	<u>38</u>	TRANSCRIPT of proceedings held on 1/3/08 before Magistrate Judge Andrew J. Peck. (jbe) (Entered: 02/06/2008)

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